



Jim Doyle, Governor
Mary P. Burke, Secretary

Wisconsin Department of Commerce Bureau of PECFA

Bid Document

SECTION 1 - Scope of Work:

The Bureau of PECFA is seeking competitive bids to perform remedial action services on a petroleum release from a regulated petroleum product storage tank system. This bid is through a specified work scope. The site upon which bids are being solicited is:

Bid Round Number: 39
Comm Number: 53147-1052-50-A
BRRTS Number: 02-65-231915
Site Name: Swatek Sales Corp
Site Address: 1050 Carey St Lake Geneva WI

Project Manager: Dave Volkert
Project Manager address: 141 NW Barstow St., Rm 180 Waukesha WI
53188-2466
Project Manager phone: 262-574-2166
Project Manager e-mail address david.volkert@dnr.state.wi.us

Bid Announcement Date	9/6/2005
Questions or requests for information must be submitted in writing and received by:	9/19/2005 4:00 PM
Responses to the questions will be posted (and if requested, sent in writing) by:	10/7/2005
Bid End Date and Time:	10/21/2005 by Noon

The case file including report(s) and other pertinent information upon which bids are being sought, and the qualified bid response, when determined, are available for inspection at:

Department of Natural Resources, 141 NW Barstow St., Rm 180, Waukesha WI

Please contact the project manager listed above for an appointment.

Copies of report(s) and other pertinent information may be available for purchase at the location listed below. If pertinent information is not available, please contact the project manager.

Action Legal-Milwaukee, 757 N Broadway, Ste 200, Milwaukee WI 53202

Phone: 414-276-2679

Fax: 414-276-1529

SECTION 2 – Site-Specific Bid Specification Requirements:

A) Project Manager Comments

1) General Comments:

The site, located in Lake Geneva, is a bulk petroleum storage facility. A release was reported to the WDNR in September 1999, when an estimated 21,000 gallons of fuel oil leaked from a joint in the piping from the former 150,000-gallon aboveground storage tank (AST). That AST has since been removed from the site. The section of piping that included the joint was within the berm; the rest of the piping was above ground.

The berm surrounding the AST was removed and the portion of the berm containing petroleum contaminated soil was disposed in a landfill. Eight additional ASTs exist at the site, ranging in size from 12,000- to 20,000-gallons, and contain unleaded gasoline, diesel, AV-gas and kerosene. The secondary containment for these ASTs was replaced in 2001 and the ASTs are no longer in the exact location that they were in the past. A release was not reported from the eight smaller ASTs.

Soils at the site consist predominantly of approximately 2 to 5 feet of silty clay or clayey silt overlying 10 to 15 feet of sand and gravel. A silty clay layer underlies the sand and gravel. Groundwater is 15 to 20 feet below grade with the flow direction generally to the east-southeast. Hydraulic conductivities measured in two wells at the site were 4.4×10^{-5} and 1.4×10^{-4} cm/sec.

Free product (up to 0.96 ft.) has been measured in six of the ten monitoring wells at the site. Free product has not been found in any of the six monitoring wells on the property downgradient from the site.

The case file may be reviewed at the WDNR office in the Lee Sherman Dreyfus State Office Building, 141 NW Barstow Street, Waukesha, Wisconsin by contacting the administrative staff at (262) 574-2100.

2) The following Environmental Factor(s) were identified in the Site Investigation Report for this site:

- ☐ Documented expansion of the plume margin.
- ☐ Verified contaminant concentrations in a private or public potable well that exceeds the preventive action limit established under ch. 160, Stats..
- ☐ Contamination within bedrock or within 1 meter of bedrock.
- ☒ Petroleum product that is not in the dissolved phase is present with a thickness of .01 feet or more, and verified by more than one sampling event.
- ☐ Documented contamination discharges to a surface water or wetland.

3) Minimum Remedial Requirements:

1. Install three (3) NR 141 groundwater monitoring wells to define the extent of contamination.

- Install a monitoring well north and another east of monitoring well MW-7, at the approximate location shown on Figure 1.
 - Install a monitoring well east of monitoring well MW-2, at the approximate location shown on Figure 1.
 - These monitoring wells are to be continuously sampled from the surface downward. Soil samples must be characterized and field-screened for volatile organic hydrocarbons. Collect one soil sample from each boring for laboratory analysis of petroleum volatile organic compounds (PVOCs) from the zone of highest obvious contamination and one sample from the end of the boring to document that the vertical extent has been delineated. If no contamination is evident, collect only one sample at the soil-water table interface.
 - Complete boring logs, well construction diagrams, and well development forms for the newly constructed monitoring wells. Installation and development of the wells must comply with ch. NR 141, Wis. Adm. Code.
2. Install one (1) NR 141 groundwater monitoring well adjacent to monitoring well MW-11.
- Install a monitoring well adjacent to monitoring well MW-11 (Figure 2), which was dry in the last groundwater monitoring event. The well boring can be blind drilled to 16 feet, then continuously sampled downward. Soil samples must be characterized and field-screened for volatile organic hydrocarbons. It will not be necessary to submit any soil samples for analytical testing from this soil boring. It is suggested that the new well be screened from 18 to 33 feet.
 - Complete boring log, well construction diagram, and well development form for the newly constructed monitoring well. Installation and development of the well must comply with ch. NR 141, Wis. Adm. Code.
3. Delineate the extent of soil contamination in the area of the release with five (5) to six (6) soil borings. Install one NR 141 monitoring well in one of the soil borings.
- The release of 21,000 gallons of fuel oil leaked from a joint in the piping from the former 150,000-gallon AST. The release occurred at the bend in the piping as illustrated on Figure 3.
 - Drill and sample 5 to 6 soil borings to at least two feet below the water table, to determine the horizontal and vertical distribution of vadose zone contamination at the point of release. The soil boring in which the monitoring well is to be installed should be advanced to an appropriate depth. These soil borings are to be continuously sampled from the surface downward. Soil samples must be characterized and field-screened for volatile organic hydrocarbons. Up to three (3) soil samples will be submitted for analytical testing.
 - Collect one analytical soil sample for laboratory analysis from each boring from the 0- to 4-foot depth if the sample yields high field-screening readings. Collect one analytical sample from the zone of highest obvious contamination and one analytical sample from the end of the boring to

document that the vertical extent has been delineated. If no contamination is evident, collect only one analytical sample at the soil-water table interface. All analytical soil samples are to be submitted for laboratory analysis of diesel range organic compounds (DRO), PVOCs and polycyclic aromatic hydrocarbons (PAHs).

- Install the monitoring well in the boring that appears to best intersect the vertical column of residual contamination in this source area. The purpose of the well is to evaluate the thickness of residual free-product at/near the point of release.
 - Properly abandon soil borings not converted to the monitoring wells and complete borehole abandonment forms. Complete boring logs for all soil borings. Complete well construction diagram, and well development form for the newly constructed monitoring well. Installation and development of the well must comply with ch. NR 141, Wis. Adm. Code.
4. Sample six soil borings immediately east of the former locations of ASTs 2 through 7.
- Drill and sample six (6) soil borings to at least two feet below the water table. These soil borings are to be continuously sampled from the surface downward. Soil samples must be characterized and field-screened for volatile organic hydrocarbons. Up to three (3) soil samples will be submitted for analytical testing.
 - Collect one analytical soil sample for laboratory analysis from each boring from the 0- to 4-foot depth if the sample yields high field-screening readings. Collect one analytical sample from the zone of highest obvious contamination and one analytical sample from the end of the boring to document that the vertical extent has been delineated. If no contamination is evident, collect only one analytical sample at the soil-water table interface. All analytical soil samples are to be submitted for laboratory analysis of DRO, gasoline range organic compounds (GRO), PVOCs and PAHs.
 - Properly abandon all soil borings. Complete boring logs and borehole abandonment forms for all soil borings.
5. Survey the location of all newly sampled soil borings, newly installed monitoring wells and monitoring wells MW-13 through MW-16.
- Survey the spatial distribution of all newly sampled soil borings, newly installed monitoring wells and monitoring wells MW-13 through MW-16.
 - Survey the elevation of the ground surface and top of casing for the newly installed monitoring wells and monitoring wells MW-13 through MW-16.
 - Complete a new site map that includes all of the new and old soil borings and monitoring wells, the new and former locations of the ASTs, the structures on the site, utilities, etc.
6. Monitoring well sampling.
- One month after developing the newly installed monitoring wells, measure the depth of groundwater and free product levels in each and every monitoring well. Prepare a groundwater flow map utilizing the groundwater

elevations from the wells without free product and utilizing the corrected groundwater elevations from the wells with free product.

- Sample monitoring wells without free product for PVOCs and naphthalene.
- Collect a free product sample from monitoring wells MW-2, MW-3, MW-4, MW-7 and the newly installed monitoring well in the area of the fuel oil release (assuming that free product will be present in that monitoring well). The free product sample from each well is to be analytically characterized (i.e., "finger-printed") for the type of petroleum product.

7. Reporting.

- Upon completion of the above, submit a brief report describing and documenting the additional work completed at the site. The report will include appropriate maps, tabulated analytical data, and required forms.
- Provide documentation of proper disposal of all wastes from activities completed under this bid scope.
- The Report must be submitted to the DNR and Commerce no later than four (4) months after a contract has been executed between the site owner (or responsible party) and the company contracted to conduct the bid scope of work.

8. Additional information.

- Permission for drilling off the property or within the right-of-way must be obtained by the company contracted to conduct the bid scope of work.
- The figures included with this bid document were obtained from Figure 2 of the *Subsurface investigation Report*.
- The DNR project manager must be contacted two weeks prior to commencing with field work.

Provide an itemized breakdown of costs for each task as an attachment(s) to the bid response, but present the total consultant and contractor costs on the 1st page of the bid response.

B) Bidder's Strategy for Remedial Action

- 1) Identify the remedial strategy for a specified work scope.
- 2) Specifically describe what element of your proposed strategy will address the environmental factors/risk factors listed above. Also describe how, when, and why it will address them.
- 3) Provide a detailed description of the work to be performed. The description shall provide sufficient detail to establish that the proposed strategy will be successful in achieving a specified work scope identified above.
 - a) The detailed description may include, but is not limited to the following:
 - Technologies
 - Estimated years of operation
 - Estimated tons of soil

- Approximate geometry/depth of excavation
 - Reporting details
 - Estimated years of monitoring
 - Frequency of sampling/number of wells/parameters
- 4) Specifically describe how you will address off-site contamination, if applicable.
- 5) Specifically describe how you will address any direct contact hazards, if applicable.

SECTION 3 - Conditions of Bid:

The successful bidder will be the entity that complies with all provisions of the bid specification and provides the lowest total cost, excluding interest and claim preparation costs, for the site-specific bid specification requirements described in Section 2. PECFA funding under s. 101.143, Stats., will terminate when the responsible agency determines that institutional controls and notices, if utilized, would achieve a closed remedial status. PECFA funding will terminate regardless of whether the responsible party or other properties accept an institutional control and notices as required under §NR 726 Wis. Admin. Code. In preparing the bid, the bidder must assume compliance with all applicable codes, including but not limited to §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The successful bidder will be determined based upon conformance to and competitiveness under the bid protocol. The first determination will be whether the bidder has complied with all provisions of the bid. These bids will be considered responsive. From the responsive bids, the lowest total cost bid with an approvable approach to a specified work scope will be determined. Claim preparation costs will not be a part of the cost cap established by this bid. These costs (\$500 maximum per claim submittal) are still eligible for PECFA reimbursement and Commerce encourages timely claim submittals at appropriate milestones. Therefore, bidding consultants should not include claim preparation costs in their bid responses.

The successful bid will be available to be viewed at the location identified in Section 1. If two or more bidders tie in the cost comparison, the bid with the lowest consulting cost will be used as the tiebreaker. All bid documents must be signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin Department of Regulation and Licensing.

The Department reserves the right to reject any and all bids that meet any of the following conditions:

- The Department believes the remedial strategy is not appropriate to a specific geologic setting.
- From the standpoint of program operations or regulatory responsibility, the Department determines it is in the best interest of the program to not accept any or all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).

The name of the successful bidder, bid amount, proposed outcome and supporting documentation will be provided to the site claimant along with instructions to inform the PECFA program in writing of their intent to either:

- Use the lowest identified bidder or
- Use another service provider.

In either case, PECFA reimbursement is capped at the dollar amount of the successful bid.

A successful bid does not mean or guarantee that all costs in a resultant claim are eligible, reasonable, necessary or reimbursable under the PECFA program.

If a bidder fails to comply with a bid provision the bid response will be determined to be non-responsive. If the bid response is responsive, but not the lowest cost service provider with an appropriate approach, it will be determined to be “non-successful.” Non-responsive and non-successful bidders will not be individually informed of their failure to achieve compliance with the bid specifications or to be the lowest bidder.

The successful bidder may be required to provide input to, and attend a meeting with the PECFA program and the claimant to explain the bid and the remedial approach.

Appeals, by bidders, of decisions regarding complying bids or costs are not allowed, as they do not constitute claimant reimbursement decisions under the PECFA program.

In compliance with this invitation to bid and subject to all conditions thereof, the signatory agrees to the following:

- If the signatory's bid is determined to be successful, the signatory must, within 15 days of the Department's notification, contact the claimant and confirm that they will provide the remedial services at the cost described within the Bid Response.
- That for a period of 90 days, starting with the Department's notification to the claimant, the signatory will hold firm their commitment to provide the remedial services and prices set forth in the Bid Response.

Failure to abide with the conditions stated above may result in exclusion from future PECFA Public Bidding events.

Questions, answers and interpretations will be considered an amendment of this solicitation. All answers and interpretations shall be in writing from the Program Manager identified in Section 1 of this solicitation. Neither the program nor the Department shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date. After the date by which questions must be submitted by, identified in Section 1, no further questions will be addressed.

A written response will be provided at: <http://www.commerce.state.wi.us/ER/ER-PECFA-SiteBidding.html> (and mailed to all requesters of the bid package who are not able to access the web site, and who therefore request written correspondence from the program contact).

SECTION 4 - Closure Specifications – If Applicable:

A bid submitted must provide the total cost, excluding interest but including all closure costs, for the remediation up to approval as a closed remedial action status identified below:

Unrestricted Closure
Closure with a NR 140 exemption
Closure with GIS Registry*
Closure with deed notice*
Closure with deed restriction*
Closure with NR 720.19 soil standards

Performance based NR 720.19 closure
Closure with site-specific conditions
Closure under NR 726.07
Closure under Comm 46/NR 746
Mass reduction

** **Note:** PECFA funding under s. 101.143, Stats., will terminate when the responsible agency determines that institutional controls and notices, if utilized, would achieve a closed remedial status. PECFA funding will terminate regardless of whether the responsible party or other properties accept an institutional controls and notices as required under NR 726. PECFA eligible costs may include all closure costs, up to approval as a closed remedial action (i.e. monitoring well abandonment) that are otherwise eligible for reimbursement.*

If the PECFA maximum award for the site/occurrence is not believed to be adequate to remediate the site/occurrence to a closed or no further remedial action status, that belief must be specifically noted in the bid and the remedial effort that will be achieved by the bid amount. For the purpose of the competitive bid the contaminant mass is determined to be: **Not Applicable**. The basis for specifying the progress shall be contaminant mass reduction and be based upon the mass reduction at the following points on the site:

Not Applicable

If the site is reasonably expected to exceed its cap under the PECFA program, bidders may propose mass reduction, the lowest bidder will be determined on the basis of a cost per mass reduction ratio. If some bidders propose mass reduction and others propose costs to bring the site to a closed remedial action or no further action status, selection will be from those bidders proposing a closed or no further action result.

SECTION 5 - Instructions to Bidders:

By submission of a bid, bidder agrees that during the period following issuance of this solicitation and prior to notification of successful bidder, bidders shall not discuss the bid or bid process except with the program contact designated in this solicitation. Bidders shall not discuss or attempt to negotiate with the claimant, other potential bidders or program staff any aspects of the bid without prior approval of the Project Manager specified. Infractions will result in rejection of the violator's bid and may also result in disqualification of the individual to provide bids and a formal complaint being lodged with the Department of Regulation and Licensing.

The bid submitted shall address all the site specific bid specification requirements identified in Section 2. The bid shall support in detail the strategy to achieve a specified work scope, or remedial mass reduction goal if applicable. A full remedial action plan is not required as part of the bid submittal. A full remedial action plan may be requested by the program.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Project Manager. If the Project Manager is not able to arrange site access,

this fact will not delay the bid process or negate the comparison and potential selection from among the bids that are submitted. All costs associated with a site visit or preparation of a bid will be the responsibility of the bidder.

The Bid Process must conform to the following:

1. If applicable, the closed remedial or no further action status to be achieved must be stated using the options available from the list provided in Section 4.
2. Indicate in the Bid Response a contaminant mass reduction proposal if the PECFA maximum award is not believed to be adequate to remediate the site/occurrence.
3. The Bid Response shall address all the site specific bid specification requirements identified in Section 2 and shall support in sufficient detail and succinctly the remedial strategy.
4. The total cost (in dollars) to accomplish the stated remedial goal, including all fees, reporting cost, pre and post closure costs and costs for establishing restrictions or institutional controls but, excluding claim preparation costs, interest, and investigation costs.
5. The costs specified in #4 shall separately identify consulting (non-commodity) costs.
6. The submittal must include an original and two (2) copies of the Bid Response documents signed and sealed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. Include the appropriate registration number of the professional license.
7. Bids can not be "faxed" directly to the program. Documents received by fax will not be accepted or considered.
8. Bids, amendments thereto or withdrawal requests must be received by the time advertised for bid opening. It is the bidder's sole responsibility to insure that these documents are received by the contact at the time indicated in this solicitation document.
9. All specifications or descriptive papers provided with the bid submission must include the bidder's telephone number and Commerce number thereon. Identify the name of the consulting firm on the 1st Page of the Bid Response.
10. The Commerce Number must be on the outside of the envelope in which the bid is submitted. The Department assumes no responsibility for unmarked or improperly marked envelopes. All envelopes received showing a bid number will be placed directly under locked security until the date and time of opening. Include only one Bid Response (an original and two (2) copies) per envelope.
11. Correction of errors on the bid form: All prices and notations shall be printed in ink, typewritten or computer printed. Errors shall be crossed out, corrections entered and initialed by the person signing the bid. Erasures or use of correction fluid will be cause for rejection. No bid shall be altered or amended after the time specified for the bid end date.
12. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid Ending Date.
13. Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the Department with jurisdiction (Natural Resources or Commerce).

14. From the standpoint of program operations or regulatory responsibility, the Department determines it is in the best interest of the program to not accept any or all bids.
15. If bidders consider the bid response to be proprietary information and exempt from disclosure, each part of the Bid Response must clearly marked *CONFIDENTIAL*. If any part is designated as confidential, there must be attached to that part an explanation of how the information is proprietary. The Department reserves the right to determine whether this information should be exempt from disclosure and no legal action may be brought against the State, Department or its agents for its determination in this regard.
16. The Bid Response must be appropriate to the site geologic setting.
17. Ambiguous bids, which are uncertain as to cost, time or compliance with this solicitation, will be rejected.
18. The Department reserves the right to reject any and all bids, and/or to cancel this solicitation at any time.
19. Each bidder shall fully acquaint itself with conditions relating to the scope and restrictions attending the execution of the work under the conditions of this solicitation. The failure or omission of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
20. All amendments to and interpretations of this solicitation shall be in writing from the Project Manager. Neither the Department nor the program shall be legally bound by any amendment or interpretation that is not in writing.
21. This solicitation is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this solicitation to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The solicitation may or may not be changed but a review of such notification will be made prior to award.

BID RESPONSE
(1st Page)

Department of Commerce PECFA Program

SITE NAME: Swatek Sales Corp
COMMERCE NUMBER: 53147-1052-50
BRRTS NUMBER: 02-65-231915

Submit Bid To: Cathy Voges
Department of Commerce PECFA Program
201 W Washington Ave, Madison WI 53703-2790 or
P.O. Box 8044, Madison WI 53708-8044

Bidder Company: _____
Bidder Address: _____

Telephone: () - _____
Fax Number: () - _____
e-mail Address: _____

Bidder: (check one that applies):

_____	Professional Engineer	_____	License #
_____	Professional Geologist	_____	License #
_____	Hydrologist	_____	License #
_____	Soil Scientist	_____	License #

Seal

Signature: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Print Name: _____

Title: _____

Total Bid Cost \$ _____

Total Consulting Cost (subpart of Total Bid) \$ _____

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE

(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Swatek Sales Corp

COMMERCE NUMBER: 53147-1052-50

BRRTS NUMBER: 02-65-231915

Consulting Firm phone number () ____-____

This response must address all of the site-specific specifications identified in Section 2, and shall support in detail the remedial strategy. Attach additional pages if necessary. *The Commerce Number and Consulting Firm telephone number must be included on all additional pages.* The pages of each Bid Response must be ***stapled*** together. No paper clips or spiral bindings please.